

REMARKS

Claims 1-24 are pending in the application, of which Claims 1, 10, and 17 are independent. As a result of the decision by the Board of Patent Appeals and Interferences mailed on February 26, 2010 (2009-001219), the previous rejections of Claims 1-24 under 35 U.S.C. 103(a) have been reversed. The Board, however, has entered a new ground of rejection under 35 U.S.C. 112, second paragraph, as to Claims 1-16. Applicants, by way of this Amendment, respectfully reopen prosecution to traverse the new rejections and request reconsideration.

Specifically, the Board stated that independent Claims 1 and 10 cover both a data network and a method for using the network. Claims 1 and 10, as previously recited, mentioned parts of a data network in their preambles to give context to the method elements in the respective bodies of Claims 1 and 10. Responsive to the new grounds of rejections, Applicants are amending the preambles of Claims 1 and 10 to overcome the rejections under 35 U.S.C. 112, second paragraph. Claims 1 and 10, as now amended, are commensurate in scope with independent Claim 17, which stands allowed.

Therefore, Applicants respectfully request entry of the amendments, withdrawal of the rejections under 35 U.S.C. 112, second paragraph, and allowance of Claims 1-24.

CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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